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By: 

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MAY 17 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Haeberli

Application No.: 09/560,222

Filed: 4/28/2000

For: System and method of changing
attributes of an image-based product

Examiner: Fodak, Mark

Art Unit: 3668

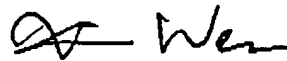
**RESPONSE to Notice Regarding Power
of Attorney**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313

Sirs:

The applicants submit Assignment by the inventors under 37 CFR 3.73(b) in response to Notice regarding Power of Attorney dated 5/9/2005. A copy of recordation of assignment is also submitted for proof of ownership.

Respectfully submitted,



Xin Wen

Reg. No. 53,758

650-610-3522



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/560,222	04/28/2000	Paul Haerberli	11087-014001

31688
TRAN & ASSOCIATES
6768 MEADOW VISTA CT.
SAN JOSE, CA 95135

CONFIRMATION NO. 3668
OC000000015969985
OC000000015969985

Date Mailed: 05/09/2005

NOTICE REGARDING POWER OF ATTORNEY

This is in response to the Power of Attorney filed 04/19/2005. The Power of Attorney in this application is not accepted for the reason(s) listed below:




- The Power of Attorney is from an assignee and the Certificate required by 37 CFR 3.73(b) has not been received.



LOWUAN ELLIS
3600 (571) 272-6588

NEW ATTORNEY/AGENT COPY

**RECORDATION FORM COVER SHEET
PATENTS ONLY**

Commissioner for Patents: Please record the attached original document(s) or copy(ies).				
1. Name of conveying party(ies): Paul Haeberli Additional name(s) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party(ies): SHUTTERFLY, INC. 2800 Bridge Parkway, Suite 101 Redwood Shores, CA 94065 Additional names/addresses attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other: Execution Date: August 3, 2000				
4. Application number(s) or patent number(s): If this document is being filed with a new application, the execution date of the application is: A. Patent Application No(s): 09/560,222 B. Patent No(s): Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
5. Name/address of party to whom correspondence concerning document should be mailed: MARK D. KIRKLAND Fish & Richardson P.C. 2200 Sand Hill Road, Suite 100 Menlo Park, CA 94025	6. Total number of applications/patents involved: 1 7. Total fee (37 CFR §3.41): \$40 <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to charge Deposit Account. 8. Deposit Account No.: 06-1050 Please apply any additional charges, or any credits, to our Deposit Account No. 06-1050.			
DO NOT USE THIS SPACE				
9. Statement and Signature: <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i> <table border="0" style="width: 100%;"> <tr> <td style="width: 33%;"> Mark D. Kirkland Reg. No. 40,048 Name of Person Signing </td> <td style="width: 33%; text-align: center;">  Signature </td> <td style="width: 33%; text-align: center;"> 8/24/02 Date </td> </tr> </table>		Mark D. Kirkland Reg. No. 40,048 Name of Person Signing	 Signature	8/24/02 Date
Mark D. Kirkland Reg. No. 40,048 Name of Person Signing	 Signature	8/24/02 Date		
Total number of pages including coversheet, attachments and document: 3				

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner of Patents, Washington, D.C. 20231.

8-25-00
Date of Deposit

Cynthia K. Dawn
Signature

Cynthia K. Dawn
Typed Name of Person Signing Certificate

ASSIGNMENT

For valuable consideration, I PAUL HAEBERLI of San Francisco, CA, PAUL HAEBERLI of San Francisco, CA, of, hereby assign to SHUTTERFLY, INC., a corporation having a place of business at:

2800 Bridge Parkway, Suite 101

Redwood Shores, CA 94065

and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the inventions and improvements which are subject of an application for United States Patent signed by me entitled SYSTEM AND METHOD OF CHANGING ATTRIBUTES OF AN IMAGE-BASED PRODUCT, filed April 28, 2000, and assigned U.S. Serial Number 09/560,222, and I authorize and request the attorneys appointed in said application to hereafter complete this assignment by inserting above the filing date and serial number of said application when known; this assignment including said application, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and I authorize the Assignee to apply in all countries in my name or in its own name for patents, utility models, design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements; and I agree for me and my respective heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

IN WITNESS WHEREOF, I hereto set my hand and seal at Shutterfly Redwood City, CA
this 3 day of Aug, 2000
Paul E. Haerberli L.S.
First Middle Initial Last PAUL HAEBERLI

State of CALIFORNIA :

: ss.

County of SAN MATEO :

Before me this 3 day of August, 2000, personally
appeared PAUL HAEBERLI known to me to be the person whose name is subscribed to the
foregoing Assignment and acknowledged that he executed the same as his free act and deed for
the purposes therein contained.

Jennifer Jane Brown
Notary Public

My Commission Expires:

[Notary's Seal Here]

